

# City Council Agenda

Council President  
**Jerry Duncan**

Councilmembers

**Tom Boyajian  
Brian Calhoun  
Mike Dages**

**Henry T. Perea – Acting President  
Cynthia Sterling  
Larry Westerlund**

City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch, CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**FEBRUARY 28, 2006**

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

## **8:30 A.M. ROLL CALL**

Invocation by Councilmember Dages

Pledge of Allegiance to the Flag

## **Ceremonial Presentations:**

Proclamation of "ROGUE PERFORMANCE FESTIVAL WEEK" – Acting President Perea

Proclamation of "THE BIG READ - TO KILL A MOCKINGBIRD DAYS" – Council President Duncan and Councilmember Sterling

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of February 14, 2006

**Action Taken:**

Approve Joint Powers Financing Authority (JPFA) minutes of February 14, 2006

**Action Taken:**

Councilmember Reports and Comments

**Action Taken**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

- A. \* Approve the purchase of approximately 5.5 acres of vacant real property located on the south side of Kings Canyon Road between Willow and Peach Avenues for a future housing and transit development project  
(***Property located in District 5***) - Planning and Development Dept.

**Action Taken:**

- B. Approve reappointment of Charles Vang to the Planning Commission – Mayor Autry

**Action Taken:**

- C. \* Approve first amendment to agreement with Hilton, Farnkopf and Hobson in the amount of \$18,000 with a contingency of \$4,000 to perform the traffic composition and volume study portion of the vehicle impact analysis within the City of Fresno – Public Works Dept.

**Action Taken:**

- D. \* Approve an amendment to agreement with Kleinfelder, Inc., to perform a second round of landfill gas compliance testing at the Fresno Sanitary Landfill (FSL) Superfund Site (***Property located in District 3***) – Public Works Dept.

**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- E. \* Approve an agreement with Johnson Architecture for the design of the Santa Fe Depot Phase 2 and Phase 3 Improvements – Public Works Dept.  
**Action Taken:**
- F. \* Approve an agreement with the Vernal Group for architectural and planning services for rehabilitation of fourteen (14) fire stations - Public Works Dept.  
**Action Taken:**
- G. \* **RESOLUTION** - 62nd amendment to AAR No. 2005-286 appropriating \$1,251,200 for the re-budget of various operating and capital projects in the Public Works Department to provide for the completion of the projects that were previously approved by Council (***Requires 5 affirmative votes***) – Public Works Dept.  
**Action Taken:**
- H. Approval of documents for intersection improvements at First and Tulare Streets:  
1. \* **RESOLUTION** – Approving the reallocating \$428,000 within the UGM traffic signal projects to fund a portion of the intersection improvements at First and Tulare Streets (***Property located in District Nos. 3, 5 and 7***) – Public Works Dept.  
**Action Taken:**  
2. \* Award a contract in the amount of \$1,110,398.70 to Seal Rite Paving Company for construction of intersection improvements at First and Tulare Streets  
**Action Taken:**
- I. \* Approve an agreement with Moore, Iacofano, Goltsman, Inc. in the amount of \$184,000 for the preparation of plans, specifications and cost estimates for the Victoria West Park expansion (***Property located in District 3***) – Public Works Dept.  
**Action Taken:**
- J. \* **RESOLUTION** - Rescinding Resolution No. 88-30, which ordered the vacation of portions of Calwa and Lily Avenues, and Resolution No. 97-03, which ordered the vacation of a portion of the Cedar Avenue frontage road south of Bellaire Way (***Property located in District Nos. 3 and 4***) – Public Works Dept.  
**Action Taken:**
- K. \* Approve the acquisition of three (3) temporary construction easements for the placement of a sewer main in Fresno County along Central Avenue between Cherry Avenue and Mary Street from property owners: Panfilo H. and Yolanda Cerrillo, Robert C. and Dora Lopez and Fuerza Del Calvario Pentecostal and Ramon G. and Luz Elena Lopez – Public Works Dept.  
**Action Taken:**
- L. **RESOLUTION** - Of intention to annex Final Tract No. 5442 to the City of Fresno Community Facilities District No. 2, Annexation No. 113 and setting the public hearing for April 4, 2006 at 10:00 a.m. – (***Property located in District 5***) – Public Works Dept.  
**Action Taken:**
- M. **RESOLUTION** - Of intention to annex Final Tract No. 5445 to the City of Fresno Community Facilities District No. 2, Annexation no. 114 and setting the public hearing for April 4, 2006 at 10:00 a.m. – (***Property located in District 5***) – Public Works Dept.  
**Action Taken:**
- N. **RESOLUTION** - Of intention to annex Final Tract No. 5446 to the City of Fresno Community Facilities District No. 2, Annexation No. 115 and setting the public hearing for April 4, 2006 at 10:00 a.m. (***Property located in District 5***) – Public Works Dept.  
**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- O. **RESOLUTION** - Of intention to annex Final Tract No. 5211 to the City of Fresno Community Facilities District No. 2, Annexation No. 116 and setting the public hearing for April 4, 2006, at 10:00 a.m. *(Property located in District 6)* – Public Works Dept.  
**Action Taken:**
- P. \* **RESOLUTION** - 58th amendment to AAR No. 2005-286 appropriating \$809,500 for the purpose of the Bi-Annual UGM reimbursements from available funds to approved developers *(Requires 5 affirmative votes)* – Public Works Dept.  
**Action Taken:**
- Q. Consideration of Resolutions approving Application for and Acceptance of Grant Funding for Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Programs and Projects – Public Works Dept.
1. **RESOLUTION** - Supporting and implementing AB 1012 “Timely Use of Funding” on SAFETEA-LU Programs administered by the Council of Fresno County Governments  
**Action Taken:**
  2. **RESOLUTION** - Approving the application for and acceptance of grant funds under the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)  
**Action Taken:**

2. **CITY COUNCIL**

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

- 9:00 A.M. A. **SCHEDULED COMMUNICATION**
- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.
- 9:15 A.M. **GENERAL ADMINISTRATION**
- A. \* Approve the acquisition of parcels encompassing 22,374 square feet at the northeast corner of Divisadero and Glenn Avenues for the development of a community center for the Parks, Recreation and Community Services Department *(Property located in District 3)* – Public Works Dept.  
**Action Taken:**
- 10:00 A.M.#1 **CONTINUED HEARING** to consider Community Facilities District No. 11, Annexation No. 2, Tract No. 5316 – Public Works Dept. *(Continue to March 14, 2006 at 10:50 a.m.)*  
**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**10:00 A.M.#2 CONTINUED HEARING** to consider Community Facilities District No. 2, Annexation No. 106, Tract No. 5285 *(Property located in District 3)*

**Action Taken:**

a. **RESOLUTION** - Of formation to establish Community Facilities District No. 2 and to authorize levy of a special tax

**Action Taken:**

b. **RESOLUTION** - Calling special mailed-ballot election

**Action Taken:**

c. **RESOLUTION** - Declaring election results

**Action Taken:**

d. \* **BILL** - Levying a special tax for the property tax year 2005-2006 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 106, Tract No. 5285

**Action Taken:**

e. **RESOLUTION** – Approving the Final Map of Tract No. 5285 and accepting dedicated public uses therein – Planning and Development Dept.

**Action Taken:**

**10:05 A.M. #1 CONTINUED HEARING** to consider Community Facilities District No. 2, Annexation No. 112, Tract No. 5517 *(Property located in District 4)* – Public Works Dept.

**Action Taken:**

a. **RESOLUTION** - Of formation to establish Community Facilities District No. 2 and to authorize levy of a special tax

**Action Taken:**

b. **RESOLUTION** - Calling special mailed-ballot election

**Action Taken:**

c. **RESOLUTION** - Declaring election results

**Action Taken:**

d. \* **BILL** - Levying a special tax for the property tax year 2005-2006 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 112, Tract No. 5517

**Action Taken:**

**10:05 A.M. #2 CONTINUED HEARING** to consider Community Facilities District No. 2, Annexation No. 111, Tract No. 5356 *(Property located in District 1)* - Public Works Dept.

**Action Taken:**

a. **RESOLUTION** - Of formation to establish Community Facilities District No. 2 and to authorize levy of a special tax

**Action Taken:**

b. **RESOLUTION** - Calling special mailed-ballot election

**Action Taken:**

c. **RESOLUTION** - Declaring election results

**Action Taken:**

d. \* **BILL** - Levying a special tax for the property tax year 2005-2006 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 111, Tract No. 5356

**Action Taken:**

**10:10 A.M.** Direction to staff to return before the City Council by March 28, 2006, with a signed Side Letter Agreement between the City of Fresno and the Fresno Police Officers Association (FPOA) regarding annual increase to retiree benefits, to be retroactive to 01/01/06 – Councilmember Dages

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

- 10:15 A.M. HEARING** to consider Rezone Application No. R-05-78, and environmental findings, filed by AMCAL Multiple Family Inc., pertaining to approximately 4.91 acres of property located on the north side of E. Jensen Avenue between S. Elm and S. Clara Avenues **(Property located in District 3)**  
**Action Taken:**
- a. Consider and adopt Environmental Assessment No. R-05-78/C-05-209, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**
  - b. **BILL** – Amending the Official Zone Map to rezone the subject property from the R-A (*Single Family Residential Agricultural*) zone district to the R-2 (*Low Density Multiple Family Residential*) zone district.  
**Action Taken:**
- 10:20 A.M. HEARING** to consider Rezone Application No. R-05-92, and environmental findings, filed by Taylor Group Architects on behalf of SADI LLC., pertaining to 9.98 acres of property located on the east side of S. Maple Avenue between the Union Pacific Railroad and E. Florence Avenue **(Property located in District 5)** – Planning and Development Dept.  
**Action Taken:**
- a. Consider and adopt Environmental Assessment No. R-05-92/C-05-226, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**
  - b. **BILL** – Amending the Official Zone Map to rezone the subject property from the R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district.  
**Action Taken:**
- 10:30 A.M. HEARING** to consider Rezone Application No. R-05-108, and environmental findings, filed by West Roeding Development Group, G.P., pertaining to approximately 6.59 acres of property located on the southwest corner of S. Hughes and W. Nielsen Avenues **(Property located in District 3)** – Planning and Development Dept.  
**Action Taken:**
- a. Consider and adopt Environmental Assessment No. R-05-108, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**
  - b. **BILL** – Amending the Official Zone Map to rezone the subject property from the AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone district to the M-1/UGM (*Light Industrial/Urban Growth Management*) zone district.  
**Action Taken:**
- 11:30 A.M. RECESS**
- 2:00 P.M.#1** **CONTESTED CONSENT CALENDAR**
- 2:30 P.M.** Presentation to discuss and accept the Mayor's Creative Economic Council Report – Mayor Autry and Acting President Perea  
**Action Taken:**
- 5:30 P.M. CONTINUED HEARING** – Adopt a resolution designating Building 8, the Former Retail Shed of the Sugar Pine Lumber Company (Pinedale Assembly Center Site, Camp Pinedale) 7435 N. Ingram Avenue to the Local Register of Historic Resources **(Property located in District 2)** – Planning and Development Dept. **(Continue to April 18, 2006, @ 5:30 p.m.)**  
**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

Mar.	7 -	10:00 A.M.	Quarterly report on the progress of the West Fresno Workgroup on implementing the recommendations of the West Fresno Community Vision Plan – Councilmember Sterling
Mar.	7 -	10:15 A.M.	<b>WORKSHOP</b> - Urban Forest
Mar.	7 -	10:30 A.M.	Independent Police Auditor – City Manager's Office
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Mar.	7 -	3:00 P.M.	Appearance by Dr. Moreno from the Dept. of Community Health to provide information regarding Avian Influenza
Mar.	7 -	3:30 P.M.	<b>HEARING</b> relating to Annual Weed Abatement
Mar.	7 -	3:45 P.M.	<b>HEARING</b> re: Rezone Application No. R-05-110, filed by David D. Chinn
Mar.	7 -	5:00 P.M.	<b>HEARING</b> re: Rezone Application No. R-04-48 and CUP C-04-126, filed by James Medina (Van Ness Auto)
Mar.	14 -	10:00 A.M.	<b>HEARING</b> re: the vacation of a portion of Browning Avenue east of Brawley Avenue. – Resolution of Intention No. 1049-D
Mar.	14 -	10:15 A.M.	<b>HEARING</b> re: Rezone Application No. R-05-24, filed by Union Community Holdings
Mar.	14 -	10:30 A.M.	<b>HEARING</b> re: Rezone Application No. R-05-106, filed by Ethan Smith
Mar.	14 -	10:40 A.M.	<b>HEARING</b> re: Resolution of necessity for easement Tract No. 5414
Mar.	14 -	10:00 A.M.	<b>CONTINUED HEARING</b> to consider Community Facilities District No. 11, Annexation No. 2, Tract No. 5316 – Public Works Dept
Mar.	14 -	2:30 P.M.	Assess Fulton Mall and make recommendations to Council/Redevelopment Agency by September 1 <sup>st</sup> .- Councilmember Calhoun
Mar.	14 -	2:45 P.M.	<b>WORKSHOP</b> relating to inclusionary housing – Councilmember Westerlund
Mar.	14 -	4:00 P.M.	<b>JOINT RDA HEARING</b> on proposed amendments to the Redevelopment Plan for the Chinatown Expanded Redevelopment Project and the negative declaration prepared in connection with the proposed amendments
Mar.	21 -	<b>NO MEETING – COUNCIL BREAK</b>	
Mar.	28 -	10:00 A.M.	<b>HEARING</b> re: Rezone Application No. R-05-028,
Mar.	28 -	10:10 A.M.	<b>HEARING</b> re: Community Facilities District No. 11, Annexation No. 3, Tract No. 5352
Mar.	28 -	10:15 A.M.	<b>HEARING</b> re: Community Facilities District No. 11, Annexation No. 4, Tract No. 5338
Mar.	28 -	10:30 A.M.	<b>HEARING</b> re: Rezone Application No. R-05-01, filed by Anthony Pings, on behalf of Wei-Shing Su
Mar.	28 -	4:00 P.M.	<b>RESOLUTION</b> - re: BNSF Figarden Siding Issue – Councilmember Calhoun
Mar.	28 – (time to be determined)		<b>HEARING</b> to adopt a resolution adopting a Citywide Impact fee for local regionally significant major streets and an impact fee based on quadrants for local major streets to implement the goals, objectives and policies of 2025 General Plan – Public Works Dept.
Apr.	4 -	10:00 A.M.#1	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 113, Tract No. 5442
Apr.	4 -	10:00 A.M. #2	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 114, Tract No. 5445
Apr.	4 -	10:00 A.M. #3	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 115, Tract No. 5446
Apr.	4 -	10:00 A.M. #4	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 116, Tract No. 5211
Apr.	11 -	<b>NO MEETING – EASTER BREAK</b>	
Apr.	18 -	8:30 A.M.	Presentation of the P.R.I.D.E. Team Certificates (Reception immediately following – 2 <sup>nd</sup> floor foyer)
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Apr.	18 -	10:00 A.M.	<b>WORKSHOP</b> on East Fresno Water Issues
Apr.	18 -	5:30 P.M.	<b>CONTINUED HEARING</b> – Adopt a resolution designating Building 8, the Former Retail Shed of the Sugar Pine Lumber Company (Pinedale Assembly Center Site, Camp Pinedale) 7435 N. Ingram Avenue to the Local Register of Historic Resources
May	2 -	3:00 P.M.	Presentation of Employee Service Awards Certificates (Reception immediately following – 2 <sup>nd</sup> floor foyer)

